



State of Utah

GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

Department of  
Environmental Quality

L. Scott Baird  
Interim Executive Director

DIVISION OF WATER QUALITY  
Erica Brown Gaddis, PhD  
Director

**Water Quality Board**  
Jennifer Grant, Chair  
Gregg A. Galecki, Vice Chair  
Steven K. Earley  
Brandon Gordon  
Michael D. Luers  
L. Scott Baird  
Emily Niehaus  
James Webb  
Dr. James VanDerslice  
Dr. Erica Brown Gaddis  
Executive Secretary

*MINUTES*

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY  
UTAH WATER QUALITY BOARD**

Via Adobe Connect

December 2, 2020  
8:30 am Work Meeting  
9:30 am Board Meeting

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Scott Baird	Mike Luers
Steven Earley	Emily Niehaus
Gregg Galecki	James VanDerslice
Brandon Gordon	James Webb
Jennifer Grant	

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Carl Adams	Ken Hoffman
Chris Bittner	Ben Holcomb
Emily Cantón	Brenda Johnson
Krystol Carfaro	John Mackey
Skyler Davies	Winnie Pan
Judy Etherington	Andrew Pompeo
Erica Gaddis	Jeanne Riley
Jodi Gardberg	Jennifer Robinson
Dan Griffith	Lonnie Shull
Angela Gunderson	Lisa Stevens
Samantha Heusser	Jeff Studenka

**OTHERS PRESENT**

Chris Otto	EDO
Marian Rice	Salt Lake City Dept of Public Utilities
Dan Hawley	San Juan SSD
Ashley Sumner	San Juan SSD
Mack McDonald	San Juan SSD
Lloyd Wilson	San Juan SSD
Mayor Leifson	Spanish Fork City
Seth Perrins	Spanish Fork City
Chris Thompson	Spanish Fork City

**OTHERS PRESENT (Continued)**

Corey Pierce	Spanish Fork City
Tom Ward	Sandy City/Provo River Water Users
Jay Olsen	UDAF
Jeff Schmidt	

**Ms. Grant called the Board Work Meeting to order at 8:30 AM.**

**Presentation of Financial Hardship Policy Alternatives or Hardship Criteria – Draft Policy Discussion:** Mr. Hoffman and Mr. Davies presented the Board with alternatives that can be accomplished both within the framework of the current rule and those that would require a rule change. In all cases, staff attempted to establish a more systematic approach toward defining hardship eligibility and extent. Staff presented these ideas and sought the Board’s direction toward setting an equitable and consistent hardship policy.

**Ms. Grant called the Board meeting to order at 9:30 AM and took roll call for the members of the Board and audience.**

**Ms. Grant read the Electronic Meeting Notice with regards to the Water Quality Board meeting being held electronically, December 2, 2020 without an anchor location.**

**APPROVAL OF MINUTES OF OCTOBER 28, 2020 WORK MEETING**

**Motion:** Mr. Gordon moved to approve the minutes of the October 28, 2020 Board meeting.

**Dr. VanDerslice seconded the motion. The motion passed unanimously.**

**EXECUTIVE SECRETARY REPORT**

*National and Regional*

- Biden-Harris administration transition.
  - There is currently an interim Regional Administrator at EPA Region 8
- WIFIA applications.
  - Provo City (Aquifer Storage & Recovery)
  - Provo River Water Users (Deer Creek Reservoir)
  - Utah Lake Restoration, LLC (Island Development)

*State and Division Issues and Initiatives*

- Cox-Henderson administration transition.
  - The administration has identified a number of agency review teams that have been interviewing directors, executive directors, stake holders and partners for all of the State’s agencies and they will be making recommendations to administration later this month.
- The Governor’s budget is delayed this year due to the transition of administrations.
- SB6004 (June 2020).
  - Dr. Gaddis has prepared a memo to the Administrative Rules Committee regarding all of the various rule making actions ongoing with the Board.
- Open bill file for Above Ground Storage Tanks.

*Water Quality Board Upcoming*

- Applications received.
  - Mountain Green Improvement District
  - Price River Water Improvement District
  - Payson City
- Water Reuse study is complete.
- Lisbon Valley UIC draft permit.
- COVID wastewater will transition to the Utah Department of Health (UDOH)

*Division Management*

- Almost all staff are teleworking
- About 10% of staff have contracted COVID and all have recovered.
- Continue to struggle with document management system.
- The Board is invited to holiday virtual awards banquet on December 17 at 12:00 pm.

**FUNDING REQUESTS**

**Financial Report:** Ms. Cantón updated the Water Quality Board on the Loan Funds and Hardship Grant Funds as indicated in the packet.

**Request for Spanish Fork Authorization:** Mr. Davies initially presented the board with a request from Spanish Fork City for a grant in the amount of \$3,500,000 to be issued over 7 years in \$500,000 annual increments, to enhance the City's credit position in bonding to construct their new \$94.1 million plant. After discussions with Water Quality staff and with current balances taken into consideration has modified the request to be a \$500,000 grant and a \$4,500,000 Loan at 1.12% for 20 years.

**Motion:** **Mr. Luers moved to approve the staff recommendation that the Board authorize a grant of \$500,000 from the Utah Hardship Grant Fund and a loan of \$4,500,000 from the Utah Wastewater Loan Fund at 1.12% for 20 years with an allowance for graduated payments with the following special conditions:**

- 1. The Applicant must agree to participate annually in the Municipal wastewater Planning Program (MWPP).**
- 2. As part of the facility planning, the Applicant must complete a Water Conservation and Management Plan.**
- 3. The Applicant must construct the project as proposed on the greenfield site to support future regional service.**
- 4. The Applicant must construct a treatment system consisting of biological nutrient reduction and a membrane bioreactor.**
- 5. The Applicant must pursue and retain remaining funding necessary to fully implement the project.**

**Mr. Galecki seconded the motion. The motion passed unanimously with Mr. Gordon recusing himself.**

**Request for San Juan Spanish Valley SSD Authorization:** Mr. Hoffman presented a request to the Water Quality Board for authorization of supplemental funding in the amount of \$360,000 needed in order to complete the collection system project.

**Motion:** Mr. Galecki moved to approve the staff recommendation to authorize an additional \$360,000 in loan at 0% interest for a 30-year term.

Mr. Gordon seconded the motion. The motion passed unanimously with Ms. Niehaus recusing herself.

#### **RULE MAKING**

**Request to Initiate Rule Making for R317-8-3, R317-8-4 and R317-8-11, Storm Water Discharges:** Ms. Stevens requested to initiate rulemaking for revisions to the Utah storm water discharge rules in Part R317-8.

**Motion:** Mr. Luers moved to initiate the change to R317-8-3, R317-8-4 and R317-8-11.

Mr. Earley seconded the motion. The motion passed unanimously.

**Request to Adopt Amendments of R317-2, Standards of Quality for Waters of the State:** Mr. Bittner requested that the Water Quality Board adopt the amendments as proposed in the September 15, 2020 Bulletin as a Board Order effective immediately.

**Motion:** Mr. Gordon moved to initiate the change to R317-2.

Mr. Webb seconded the motion. The motion passed unanimously.

#### **PUBLIC COMMENTS**

No public comments.

#### **MEETING ADJOURNMENT**

**Motion:** Mr. Luers moved to adjourn the meeting.

Mr. Gordon seconded the motion. The motion passed unanimously.

To listen to the full recording of the Water Quality Board meeting.

<https://deq.utah.gov/boards/utah-water-quality-board-meetings>

**Next Meeting – January 27, 2021 at 8:30 am**

Via Adobe Connect

<https://utdeq.adobeconnect.com/wqb/>

*Gregg A. Galecki*

Gregg A. Galecki (Jan 28, 2021 08:13 MST)

Gregg Galecki, Vice Chair  
Utah Water Quality Board